

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

JUSTIN STEELE,

Plaintiff,

v.

Case No. 12-C-923

M. BAENEN, et al.,

Defendants.

**ORDER ON MOTIONS FOR DEPOSITION, ISSUANCE OF SUBPOENAS
AND LEAVE TO FILE AMENDED COMPLAINT**

Plaintiff Justin Steele has filed a Motion for Deposition, a Motion for Deposition Subpoenas, and a Motion for Leave to File an Amended Complaint adding an additional defendant. The first two motions will be denied. A motion for summary judgment by the defendants has been pending since May 16, 2013. The court has extended Plaintiff's time to respond to the motion to August 30, 2013. In the previous order denying the plaintiff's barrage of motions, the court explained that the case appeared to be primarily factual in nature and that the plaintiff's personal knowledge should equip him to respond to the allegations or the assertions upon which defendant's motion for summary judgment is based. Plaintiff does not claim he needs to conduct such discovery in order to respond to the pending motion for summary judgment. More importantly, it is clear from the record that Plaintiff lacks the funds needed to hire a court reporter and to provide for transcripts. While Plaintiff has been allowed to proceed *in forma pauperis*, these are not costs that are paid at public expense in a civil lawsuit. Finally, Plaintiff offers no reasons why a further delay is

necessary before he is able to file his response to defendant's motion for summary judgment. Accordingly, the motions for depositions and issuance of subpoenas are denied.

As to the motion for leave to file an amended complaint, the court will defer a decision until the defendants respond. They may do so in conjunction with their brief in reply to Plaintiff's response to their motion for summary judgment. In the event that the defendant's motion for summary judgment is granted, the motion to amend the complaint may become moot.

SO ORDERED this 20th day of August, 2013.

s/ William C. Griesbach
William C. Griesbach, Chief Judge
United States District Court